

**AFFIDAVIT IN SUPPORT
OF CRIMINAL COMPLAINT**

I, United States Immigration and Customs Enforcement (ICE) Deportation Officer Eric Merriman, being first duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Deportation Officer with more than ten (10) years of experience as a Deportation Officer with the United States Immigration and Customs Enforcement (ICE) and as a Border Patrol Agent with the U.S. Border Patrol. I am assigned to the Columbus, Ohio Office of Enforcement and Removals (ERO)-Criminal Alien Program. I have investigated both criminal and administrative matters involving aliens in the United States. I have successfully completed the Deportation Officer Training Program at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia and the U.S. Border Patrol Agent Academy at FLETC in Artesia, New Mexico.
2. This affidavit is being submitted for the purpose of establishing probable cause that **Carlos GONZALES HERNANDEZ (hereinafter "GONZALES HERNANDEZ")** has violated 8 U.S.C. §§ 1326 (a) and (b)(2), Illegal Re-Entry of a Removed Alien After a Conviction of an Aggravated Felony.
3. The information in this affidavit is based on my personal knowledge, information provided by other law enforcement officers and individuals, and the reports and memoranda of other law enforcement officers. The information in this affidavit is provided for the limited of establishing probable cause in connection with this application for a criminal complaint and an arrest warrant. This affidavit does not include all the information gathered during this investigation. The following information is based on my personal knowledge, the knowledge of other agents and officers, as well as investigations conducted by other law enforcement entities.

PROBABLE CAUSE – ILLEGAL REENTRY

4. On January 02, 2025, the Madison County Sheriff's Office contacted the Law Enforcement Support Center (LESC) after they conducted a traffic stop In Madison County on **GONZALES HERNANDEZ** for traffic violations. The LESC contacted the Columbus ERO duty officer, Deportation Officer Terrill, who verified the identity of **GONZALES HERNANDEZ** via video call.
5. Records check of federal databases affirmatively indicated **GONZALES HERNANDEZ** lacks immigration status. The Madison County Sheriff's Office placed **GONZALES HERNANDEZ** under arrest for the traffic violations and Columbus ERO place a Form I-247A Immigration Detainer on **GONZALES HERNANDEZ** at the Tri-County Regional Jail in Mechanicsburg, Ohio.

6. On January 7, 2025, **GONZALES HERNANDEZ** was encountered and arrested by ICE officers at the Tri-County Regional Jail in Mechanicsburg, Ohio. It was determined after a verification of records and fingerprints that **GONZALES HERNANDEZ** had previously been ordered removed from the United States and that he is subject to prosecution for illegal re-entry, having been found in the United States after being barred from reentering at any time following his most recent removal in 2022. It was confirmed that **GONZALES HERNANDEZ** has not obtained permission from the Attorney General or the Secretary of Homeland Security to reapply for admission to the United States.
7. Your Affiant's investigation has revealed that:
 - a. On or about August 28, 2017, **GONZALES HERNANDEZ**, a citizen of El Salvador, was convicted in the Court of Common Pleas in Franklin County, Ohio, for three felony counts of Gross Sexual Imposition and sentenced to six years of incarceration;
 - b. On or about March 4, 2020, **GONZALES HERNANDEZ** was issued a Final Administrative Order by a designated immigration official in Columbus, Ohio; and
 - c. On September 23, 2022, **GONZALES HERNANDEZ** was physically removed on that order at the Alexandria, Louisiana Port of Entry. On that day, **GONZALES HERNANDEZ** surrendered his fingerprint and photo for Immigration Form I-205 (Warrant of Removal/Deportation) and signed the same form. Immigration Officers witnessed **GONZALES HERNANDEZ** departure and documented the departure by the way of signature on Immigration Form I-205.

CONCLUSION


8. Based on the foregoing I further submit that there is probable cause to believe that **GONZALES HERNANDEZ**, is an alien who has previously been removed from the United States on the above date and location, and that he knowingly and unlawfully entered and was found in the Southern District of Ohio on or about January 2, 2025, without obtaining the express consent of either the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States, in violation of 8 U.S.C. §§ 1326(a)(1) and 9b)92).



Eric Merriman
Deportation Officer
Immigration and Customs Enforcement

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Sworn before me and subscribed in my presence on this 29th day of January, 2025.



CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE